

**Appl. No.** : 10/714,097  
**Filed** : November 14, 2003

### REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

The obvious typographical error in claim 19 has been removed herein. Applicant apologizes for the failure to remove the clause, causing two separate embodiments to be claimed in a single claim. This should obviate the rejection under section 112, of claims 19-22.

Claims 18, 19, and 38, each of the independent claims in the case under consideration have been amended to obviate the current rejection. Specifically, these claims have been amended to recite using a camera in a portable device to obtain an image of a barcode, decoding that image, and then displaying information from that the coating on the portable device. None of the references cited in the case are in any way suggestive of this feature.

Note also, that nothing in this application should be taken as an admission that the cited references cited are in fact prior art; in fact at least one of these references is believed not to be prior art against the current application. In addition, with all due respect, it is believed that the point about printed matter not representing patentable subject matter is contrary to at least one Federal Circuit case. However, all of these contentions are believed to be obviated by the present claim amendments.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for

**Appl. No.** : **10/714,097**  
**Filed** : **November 14, 2003**

patentability of any or all pending claims (or other claims) that have not been expressed.

Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the above amendments and remarks, therefore, all of the claims should be in condition for allowance. A formal notice to that effect is respectfully solicited.

Please charge any fees due in connection with this response to Deposit Account No. 50-1387.

Respectfully submitted,

Date: January 30, 2006       /SCH/        
Scott C. Harris  
Reg. No. 32,030

Customer No. 23844  
Scott C. Harris, Esq.  
P.O. Box 927649  
San Diego, CA 92192  
Telephone: (619) 823-7778  
Facsimile: (858) 678-5082